

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**IN RE: FRESenius GRANUFLO/NATURALYTE
DIALYSATE PRODUCTS LIABILITY
LITIGATION**

MDL No. 2428

(SEE ATTACHED SCHEDULE)

CONDITIONAL TRANSFER ORDER (CTO -1)

On March 29, 2013, the Panel transferred 7 civil action(s) to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. §1407. *See* F.Supp.2d (J.P.M.L. 2013). Since that time, no additional action(s) have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Douglas P Woodlock.

It appears that the action(s) on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Woodlock.

Pursuant to Rule 7.1 of the Rules of Procedure of the United States Judicial Panel on Multidistrict Litigation, the action(s) on the attached schedule are transferred under 28 U.S.C. §1407 to the District of Massachusetts for the reasons stated in the order of March 29, 2013, and, with the consent of that court, assigned to the Honorable Douglas P Woodlock.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed 7 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 7-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:



Jeffery N. Lüthi
Clerk of the Panel

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Apr 10, 2013

CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

**IN RE: FRESenius GRANUFLO/NATURALYTE
DIALYSATE PRODUCTS LIABILITY
LITIGATION**

MDL No. 2428

SCHEDULE CTO-1 – TAG-ALONG ACTIONS

| <u>DIST</u> | <u>DIV.</u> | <u>C.A.NO.</u> | <u>CASE CAPTION</u> |
|---------------------|-------------|---------------------|--|
| ALABAMA MIDDLE | | | |
| ALM | 2 | 12-01105 | Baldwin v. Fresenius Medical Care Holding, Inc. et al (STAYED) Vacated 4/10/13 |
| ALABAMA NORTHERN | | | |
| ALN | 2 | 12-04132 | Rustin et al v. Fresenius Medical Care Holding Inc et al |
| ALN | 2 | 12-04141 | Thomas v. Fresenius Medical Care Holding Inc et al |
| ALN | 2 | 13-00371 | Leary v. Fresenius Medical Care Holding Inc et al |
| ALN | 4 | 12-04134 | Cornelius et al v. Fresenius Medical Care Holding Inc et al Vacated 4/10/13 |
| ALN | 4 | 12-04133 | Brewster et al v. Fresenius Medical Care Holding, Inc. et al |
| ALN | 4 | 12-04142 | Callahan et al v. Fresenius Medical Care Holding Inc et al Vacated 4/10/13 |
| ALN | 5 | 12-04130 | Stricklin et al v. Fresenius Medical Care Holding, Inc. et al |
| ALN | 7 | 12-04140 | Davis v. Fresenius Medical Care Holding Inc et al Vacated 4/10/13 |
| ALABAMA SOUTHERN | | | |
| ALS | 1 | 13-00129 | Bumpers v. Fresenius Medical Care Holdings, Inc. et al |
| CALIFORNIA CENTRAL | | | |
| CAC | 5 | 13-00401 | Carolina Defacio et al v. Fresenius Medical Care Holding Inc et al |
| CALIFORNIA NORTHERN | | | |
| CAN | 3 | 12-06382 | Rodriguez v. Fresenius Medical Care Holdings Inc. et al |
| CAN | 3 | 13-00489 | Maroon v. Fresenius Medical Care Holdings, Inc. et al |
| CAN | 3 | 13-00510 | Riva v. Fresenius Medical Care Holdings, Inc. et al |

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| CAN | 3 | 13-00971 | McMillan v. Fresenius Medical Care Holdings, Inc. et al |
| CAN | 3 | 13-01046 | Martinez et al v. Fresenius Medical Care Holdings, Inc. et al |
| CAN | 3 | 13-01102 | Butler v. Fresenius Medical Care Holdings, Inc. et al |
| CAN | 3 | 13-01188 | Dickson v. Fresenius Medical Care Holdings, Inc. et al |

FLORIDA SOUTHERN

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| FLS | 9 | 13-80293 | Kyles v. Fresenius Medical Care Holdings, Inc. et al |
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GEORGIA NORTHERN

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| GAN | 1 | 12-04405 | Anderson v. Fresenius Medical Care Holdings, Inc. et al |
| GAN | 1 | 13-00292 | Johnson v. Fresenius Medical Care Holdings, Inc. et al |
| GAN | 1 | 13-00582 | Grcgory v. Fresenius Medical Care Holdings, Inc. et al |
| GAN | 4 | 13-00068 | Dempsey v. Fresenius USA, Inc. et al |

LOUISIANA EASTERN

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| LAE | 2 | 13-00147 | Glasper v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00343 | Theard et al v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00359 | Baquet v. Fresenius Medical Care Holding, Inc. et al |
| LAE | 2 | 13-00367 | Thomas v. Fresenius Medical Care Holding, Inc. et al |
| LAE | 2 | 13-00387 | Hutchinson v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00391 | Shaw v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00394 | Alphonse v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00397 | Howard v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00407 | Miller et al v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00412 | McNulty et al v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00419 | Youngblood v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00425 | Polk v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00429 | Mitchell v. Fresenius Medical Care Holdings, Inc. et al Vacated 4/8/13 |
| LAE | 2 | 13-00430 | Carter v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00431 | Neal v. Fresenius Medical Care Holdings, Inc. et al Vacated 4/5/13 |
| LAE | 2 | 13-00435 | White v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00458 | Kennard v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00529 | Berzas et al v. Fresenius Medical Care Holdings, Inc. et al |
| LAE | 2 | 13-00551 | Long et al v. Fresenius USA, Inc. et al |

LOUISIANA MIDDLE

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| LAM | 3 | 13-00003 | Gobert et al v. Fresenius USA, Inc. et al |
| LAM | 3 | 13-00153 | Milton et al v. Fresenius USA, Inc. et al |

MAINE

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| ME | 2 | 13-00078 | LAWRENCE v. FRESENIUS MEDICAL CARE HOLDINGS INC et al |
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MISSISSIPPI NORTHERN

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| MSN | 1 | 13-00027 | Hughes v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 1 | 13-00043 | Nunn v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 1 | 13-00050 | Pietruszkiewicz v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 1 | 13-00051 | Jones v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 3 | 13-00065 | Orman v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00031 | White v. Fresenius Medical Care Holdings, Inc. et al |
| MSN | 4 | 13-00034 | Benson v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00035 | Parker v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00036 | Head v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00037 | Jones v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00041 | Earvin v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00042 | Nichols--Green v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00046 | Ellis v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00047 | Reed v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00048 | Boatwright v. Fresenius Medical Care Holding, Inc. et al |
| MSN | 4 | 13-00049 | Randle v. Fresenius Medical Care Holding, Inc. et al |

MISSISSIPPI SOUTHERN

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| MSS | 1 | 12-00412 | Ladner v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 1 | 13-00013 | Smith v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 1 | 13-00067 | Surman v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 3 | 13-00046 | Laster v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 3 | 13-00047 | Calahan v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 3 | 13-00048 | Watkins v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 3 | 13-00049 | Houston v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 3 | 13-00061 | Wash v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 3 | 13-00091 | Jackson v. Fresenius Medical Care Holdings, Inc. et al |
| MSS | 3 | 13-00159 | Fleming v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 3 | 13-00182 | Meeks v. Fresenius Medical Care Holdings, Inc. et al |
| MSS | 4 | 13-00047 | Parks v. Fresenius et al |
| MSS | 4 | 13-00053 | Bankston v. Fresenius Medical Care Holdings, Inc. et al |
| MSS | 5 | 13-00010 | Lockhart v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 5 | 13-00015 | Smith v. Fresenius Medical Care Holdings, Inc. et al |
| MSS | 5 | 13-00033 | Grinnell v. Fresenius Medical Care Holding, Inc. et al |
| MSS | 5 | 13-00034 | Donald v. Fresenius Medical Care Holding, Inc. et al |

NEW JERSEY

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| NJ | 1 | 13-00820 | JONES v. FRESENIUS MEDICAL CARE HOLDINGS, INC. et al |
| NJ | 2 | 12-07469 | TOZZI v. FRESENIUS MEDICAL CARE HOLDING, INC. et al |
| NJ | 2 | 12-07470 | RHODES et al v. FRESENIUS MEDICAL CARE HOLDINGS, INC. et al |
| NJ | 2 | 13-00585 | MARMARAS v. FRESENIUS MEDICAL CARE HOLDING, IN.; et al |
| NJ | 2 | 13-01618 | GIBSON v. FRESENIUS MEDICAL CARE HOLDING, INC. et al |
| NJ | 3 | 13-01152 | EHNOT v. FRESENIUS MEDICAL CARE HOLDINGS, INC. et al |

NEW YORK EASTERN

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| NYE | 1 | 12-06163 | Deloach v. Fresenius Medical Care Holding, Inc. et al |
| NYE | 1 | 12-06418 | Earline Raleigh v. Fresenius Medical Care Holding, Inc. et al |
| NYE | 1 | 12-06419 | Green v. Fresenius Medical Care Holding, Inc. et al |
| NYE | 1 | 12-06420 | Williams v. Fresenius Medical Care Holding, Inc. et al |
| NYE | 1 | 12-06421 | Presley v. Fresenius Medical Care Holding, Inc. et al |
| NYE | 1 | 12-06422 | Carter v. Fresenius Medical Care Holding, Inc. et al |

NORTH CAROLINA EASTERN

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| NCE | 5 | 13-00051 | Carter v. Fresenius Medical Care Holding, Inc. et al |
| NCE | 5 | 13-00070 | Bordeaux v. Fresenius Medical Care Holding, Inc. et al |

PENNSYLVANIA MIDDLE

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| PAM | 1 | 13-00397 | Humphrey v. Fresenius Medical Care Holding, Inc. et al |
| PAM | 3 | 12-02518 | Schultz v. Fresenius USA, Inc. et al |

TEXAS WESTERN

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| TXW | 6 | 13-00014 | Shaw v. Fresenius Medical Care Holdings, Inc. et al |
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I hereby certify on 4/10/13 that the foregoing document is true and correct copy of the
☐ electronic docket in the captioned case
☒ electronically filed original filed on 4/10/13
☐ original filed in my office on _____

Robert M. Farrell
 Acting Clerk, U.S. District Court
 District of Massachusetts

By: Sherry Jones
 Deputy Clerk